ł	
1	KAMALA D. HARRIS
2	Attorney General of California FRANK H. PACOE
3	Supervising Deputy Attorney General CHAR SACHSON
4	Deputy Attorney General State Bar No. 161032
5	455 Golden Gate Avenue, Suite 11000 San Francisco, CA 94102-7004
6	Telephone: (415) 703-5558 Facsimile: (415) 703-5480
7	Attorneys for Complainant
8	BEFORE THE BOARD OF REGISTERED NURSING
9	DEPARTMENT OF CONSUMER AFFAIRS
10	STATE OF CALIFORNIA
11	In the Matter of the Statement of Issues Against: Case No. 2012-73
12	JESSICA ALVARADO
13	9640 Rimrock Road Sonora, CA 95370-8025
14	
15	Applicant.
16	
17	Complainant alleges:
18	<u>PARTIES</u>
19	1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Statement of Issues solely in
20	her official capacity as the Executive Officer of the Board of Registered Nursing, Department of
21	Consumer Affairs.
22	2. On or about September 27, 2010, the Board of Registered Nursing, Department of
23	Consumer Affairs received an application for a Registered Nursing license from Jessica Alvarado
24	(Applicant). On or about September 23, 2010, Jessica Alvarado certified under penalty of perjury
25	to the truthfulness of all statements, answers, and representations in the application. The Board
26	denied the application on March 28, 2011.
27	111
28	///
	1

8

10

11

12 13

14

15 16

17

18

19

20 21

22 23

24

2.5

26

27

28

111

///

JURISDICTION

- This Statement of Issues is brought before the Board of Registered Nursing (Board), 3. Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.
- Section 2736 of the Code provides, in pertinent part, that the Board may deny a license when it finds that the applicant has committed any acts constituting grounds for denial of licensure under section 480 of that code.
 - Section 2762 of the Code states:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

"(b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.

FIRST CAUSE FOR DENIAL OF APPLICATION

(USING ALCOHOL IN A MANNER DANGEROUS TO SELF OR OTHERS)

Applicant's application is subject to denial under sections 2736, 2762(b) and/or 480 in that Applicant used alcohol in a manner dangerous to herself or others. The circumstances are that on or about April 20, 2007, Applicant was arrested on 10th Street in Arcata for disorderly conduct/drunk in public. Applicant was staggering all over the sidewalk prior to her arrest, and her blood alcohol measured .263.

2

SECOND CAUSE FOR DENIAL OF APPLICATION

(Committed Acts Which if Done by a Licentiate Constitute Cause for Discipline)

7. Applicant's application is subject to denial under Code section 480(a)(3)(A), in that she committed acts which if done by a licentiate of the profession would constitute grounds for suspension or revocation of a license under Code section 2761(a)(1) (unprofessional conduct, incompetence, or gross negligence), as more particularly set forth above in paragraph 6.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 1. Denying the application of Jessica Alvarado for a Registered Nursing;
- 2. Taking such other and further action as deemed necessary and proper.

DATED: 8-1-1/
LOUISE R. BAILEY, M.ED., RN
Executive Officer

Board of Registered Nursing Department of Consumer Affairs

State of California Complainant

SF2011201518 20482766.doc